

*IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION AT KNOXVILLE*

IN RE:

**JULIE M. WILSON,**

Case No. **09-32775**

Chapter 7

Debtor.

**APPLICATION BY MICHAEL H. FITZPATRICK, TRUSTEE,  
TO EMPLOY REAL ESTATE SALES AGENT**

**NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING**

Pursuant to E. D. Tenn. LBR 9013-1(h), the court may consider this matter without further notice or hearing unless a party in interest files an objection. If you object to the relief requested in this paper, you must file with the clerk of the court at Howard H. Baker, Jr. U.S. Courthouse, 800 Market Street, Suite 330, Knoxville, TN 37902, an objection within 20 days from the date this paper was filed and serve a copy on the movants' attorney, Michael H. Fitzpatrick, Esquire, Jenkins & Jenkins Attorneys, PLLC, 2121 First Tennessee Plaza, Knoxville, TN 37929-2121, or [mbf@j-jlaw.com](mailto:mbf@j-jlaw.com). If you file and serve an objection within the time permitted, the court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the court will consider that you do not oppose the granting of the relief requested in this paper and may grant the relief requested without further notice or hearing.

Comes Michael H. Fitzpatrick, Trustee, pursuant to 11 U.S.C. §327(a) and Fed. R. Bankr. P. 2014 and 6005, and hereby makes application to the Court to employ a Real Estate Sales Agent for the sale of a certain real asset of this estate. The following is submitted in support of the Trustee's application:

1. That Michael H. Fitzpatrick is the duly appointed and qualified Trustee in this case.
2. That he desires to sell, at private sale, the residential real property of the debtor and her former spouse at 8017 Lett Road, Corryton, Tennessee.

3. That he has the authority, under 11 U.S.C. §327(a) and Fed. R. Bankr. P. 2014 and 6005 to employ a sales agent with the Court's approval.

4. That he desires to employ Ms. Catherine Kligerman and Southland GMAC Real Estate as said sales agent. To the best of the applicant's knowledge, the proposed agents have no connection with the debtor, creditors, or any other party in interest, their respective attorneys and accountants. Further the Trustee believes said sales agent to be a disinterested person under the provisions of 11 U.S.C. §101(14).

5. The Trustee proposes to employ Ms. Catherine Kligerman and Southland GMAC Real Estate for a commission fee of 6% of the gross sales receipts to be paid at closing. The commission will be paid from the estate's interest and not that of the former spouse. The amount of the commission will be disclosed in any notice of sale.

WHEREFORE, the undersigned Trustee requests the Court's approval to employ Ms. Catherine Kligerman and Southland GMAC Real Estate, upon the terms and conditions stated above nunc pro tunc to the filing of this application.

DATED: September 11, 2009

Respectfully submitted,

/s/ Michael H. Fitzpatrick

Michael H. Fitzpatrick, Trustee

BPR No. 006033

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Application by Michael H. Fitzpatrick, Trustee, to Employ Real Estate Sales Agent, Affidavit and Order have been served upon the indicated parties by placing a copy thereof, in the U.S. Mail first class postage prepaid, via email or ECF this September 11, 2009:

Creditors on the attached mailing list

/s/ Michael H. Fitzpatrick

Attorney